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10/669,369	09/25/2003	Horst Schnoerer	11884-406801	3373

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EXAMINER	
SHUMATE, PAUL W	
ART UNIT	PAPER NUMBER
3693	
MAIL DATE	DELIVERY MODE
10/15/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/669,369	SCHNOERER ET AL.	
	Examiner	Art Unit	
	PAUL SHUMATE	3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 June 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) *1-4 and 10-14* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1. This action is in reply to the correspondence filed on 06/16/2008.

2. Claims 1-4 and 10-14 were previously withdrawn from consideration.

3. Claims 5, 15, 18, and 20-22 are currently amended by Applicant.

4. Claim 23 is newly added by Applicant.

5. Claims 5-9 and 15-23 have been examined and are rejected.

Claim Rejections - 35 USC § 112

6. Prior rejections under 35 USC 112 are moot in view of Applicant's related claim amendments.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claim(s) 5-9 and 15-22 rejected under 35 U.S.C. 103(a) as being unpatentable over Zawadzki et al., U.S. Patent No.: 7,107,268, in view of Using Microsoft Excel 97, by Hallberg, Bruce A., Sherry Kinkoph, and Bill Ray (hereinafter UME).

As per claims 5, 15, and 23, Zawadzki teaches a system and method for managing enterprise operations directed toward a centralized, automated, self-maintained, collaborative project management system which manages project management objects in a hierarchical tree, comprising:

- receiving a budget item for entry into the working budget database, (see at least column 40 lines 21-26, column 41 lines 56-60, and column 45 lines 16-18)

- executing one or more rules on the item for entry (see at least column 40 lines 34-47 and column 41 lines 52-60)
- if any rule generates an error, blocking the budget item from the working budget database (see at least column 10 lines 34-35, column 10 lines 55-68, and column 41 lines 52-60)

While Zawadzki does disclose using pointers (see at least column 14 lines 21-23), test relationships (see at least column 40 lines 8-9, column 40 lines 34-36, and column 41 lines 43-52), and defined responses which depend on test relationship results (see at least column 40 lines 42-47, column 41 lines 11-21, and column 41 lines 56-58), Zawadzki does not explicitly teach:

- executing one or more rules, the rules including pointers to entries within the working budget database and the reference budget database, a definition of a test relationship that must be satisfied to satisfy the rule and a definition of a response to be made when the test relationship is not satisfied,

UME, however, teaches conditional rules used in analyzing budget items where the rules include pointers to both working and reference budget items, a definition of a test relationship, and a definition of a response to be made when the test relationship is not satisfied (see at least UME p. 204, paragraph(s) under IF, pp. 460-465, paragraph(s) under Validating User Input, and p. 216, paragraph(s) under Conditional Sum Wizard).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine the teachings of Zawadzki and UME to form a budget management system which executes one or more rules on data, pointed to by a pointer, where the rule includes a conditional test and defined responses, which depend on the test results, because this “make[s] it easy to quickly see how values compare (see at least UME p. 204, 3rd paragraph under IF),” “lets you build formulas that can take different actions based on the contents of cell[s] (see at least UME p. 204, 5th paragraph under IF),” and helps ensure that data is valid, alerting users of issues or errors that require attention (see at least UME p. 460, 1st and 2nd paragraphs under Validating User Input, and p. 463, 1st paragraph under Setting Error Alerts).

As per claims 6,7, Zawadzki, in at least column 25 lines 15-24, column 38 lines 36-48, column 41 lines 11-21, column 41 lines 52-60, and column 43 lines 45-56, teaches:

- pursuant to execution of a rule, performing aggregation of addressed entries of the working database according to a definition provided in the rule, an aggregate value obtained therefrom being used to determine if the test relationship is satisfied.
- pursuant to execution of a rule, performing aggregation of addressed entries of the reference database, according to a definition provided in the rule, an aggregate value obtained therefrom being used to determine if the test relationship is satisfied.

In addition to the teachings of Zawadzki, as cited above, teachings relevant to these limitations can be found in UME on at least page 203, paragraph(s) under COUNT, COUNTBLANK, AND COUNTIF, page 208, paragraph(s) under SUM & SUMIF, and page 216, paragraph(s) under Conditional Sum Wizard.

As per claims 8 and 16, UME further teaches:

- if any rule generates a warning, posting an alert as specified in the response definition of the corresponding rule. (see at least UME p. 463-465, paragraph(s) under Setting Error Alerts and FIG. 19.13)

As per claim 9 and 17, Zawadzki further teaches:

- identifying elements within the working budget database that are to be changed by the new budget item, (see at least column 4 lines 42-47, column 23 lines 8-10, and column 25 lines 15-24)
- identifying rules for which the identified elements are operands, (see at least column 4 lines 42-47, column 23 lines 39-49, and column 25 lines 15-24)
- wherein the executing causes only the identified rules to be executed. (see at least column 4 lines 42-47, column 23 lines 8-10, column 23 lines 39-49, and column 25 lines 15-24)

As per claim 18, UME, in at least p. 204, paragraph(s) under IF, pp. 460-465, paragraph(s) under Validating User Input, and p. 216, paragraph(s) under Conditional Sum Wizard, teaches:

- identifying, by using an address field, locations from a first and second budget database from which budget value information is to be obtained (UME p.204 see “C10” and “D10”)
- storing in a test field a definition of a relationship that must be met between values from the first data structure and values from the second data structure to satisfy the rule (UME p.204 see “C10>D10”)
- storing in a response field a definition of an action to occur if the relationship is not satisfied (UME p.204 see “Overspent”)

As per claims 19 and 20 Zawadzki, in at least column 14 lines 21-25, and UME, in at least p.204, “C10” and “D10,” and pages 467-469, paragraph(s) under Applying Range Names and Defining Label Ranges, and additionally on pages 410, 415, and 876, further teach:

- addressing nodes of the first budget database using a first address pointer,
- addressing nodes of the reference budget database using a second address pointer.
- Referencing both the first and second budgets using address pointers contained in function fields

As per claim 21, Zawadzki teaches applying a rule recursively across a plurality of sets of locations (see at least the “financial rollup component” in column 25 lines 15-25)

As per claim 22, UME teaches accessing a field for definition of an aggregation rule contained in at least one rule to the locations specified in the respective address field (see at least page(s) 410, 609, and 876)

Response to Arguments

9. Applicant's arguments filed 06/16/2008 have been fully considered but they are not persuasive.

10. Applicant argues that "UME discloses a function that is usable only within the context of worksheets or workbooks within the same application" and that "this is not the same as the claimed database entries that are stored in separate databases."

11. The examiner respectfully disagrees and asserts that UME teaches throughout the entire 981 page book, among other rule-based functions, examples of analyzing, inserting, and validating database data wherein the databases include external, separate databases created in Excel or various other database application programs. As a few specific examples, UME teaches importing accounting database data from another software package (see at least page(s) 850), importing or pulling data from another database program such as Access, Paradox, or dBase (see at least page(s) 415), using data from an external database or data source (see at least page(s) 417), maintaining a link to an externally accessed database to update data automatically (see at least page(s) 609), using external database data stored on the world wide web via web queries (see at least page(s) 642).

12. Applicant argues that neither Zawadzki nor UME disclose or suggest performing an aggregation in a working budget database as recited in the claims and neither teach or suggest a rules manager or a rules array. The examiner respectfully disagrees and asserts that UME does in fact teach aggregating data into a specific database and adding the data into a database would obviously cause aggregate value functions of the database to be updated to reflect the newly added record. UME teaches adding data to a database using a database form (see at least page(s) 390) and also teaches examples of database function values that may automatically be updated when relevant data is added to the database (see at least page(s) 411, 876). Further, UME teaches using both data and database functions to analyze information in aggregated in a database where the functions take pointers to the database and/or data source being analyzed, data which indicate which particular fields in the data on which the function is to be performed, and criteria information which may contain pointers to referenced data locations that contain criteria specific to the function being peformed (see at least page(s) 410).

13. A more specific example taught by UME regards running a What-If Analysis on a user defined scenario where the scenario workbook contains and manages rules which are used in computing a financial analysis on data from an external database source. Specifically, when a user wants to add an item to their database, a What-If scenario is run to determine the effects on the user's accounting information by adding new item to their account database (see at least page(s) 859-865). This scenario workbook is substantially equivalent to the claimed rules manager or rules array since it manages all the rules which are applied in an analysis of financial data found in external databases.

Conclusion

14. **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Shumate whose telephone number is 571-270-1830. The examiner can normally be reached on M-F 8:30 AM - 6:00 PM, EST alt Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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